

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Diane Briscoe,

Plaintiff,

v.

United States Air Force, Davis Monthan
Air Force Base, et al.,

Defendants.

No. CV-23-00046-TUC-LCK

ORDER

On October 25, 2023, United States Magistrate Judge Lynette C. Kimmins issued a Report and Recommendation (“R&R”) in which she recommended the Court enter an order dismissing Plaintiff Diane Briscoe's Amended Complaint for lack of subject matter jurisdiction. (Doc. 19.) The R&R notified the parties that they had fourteen (14) days from the date of the R&R to file any objections. As of the date of this Order, no objections have been filed.

Where neither party objects to a Magistrate Judge’s Report and Recommendation, the District Court is not required to review the Magistrate Judge’s decision under any specified standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the statute guiding review “does not preclude further review by the district judge, *sua sponte* or at the request of a party, under a *de novo* or any other standard.” *Id.* at 154.

In this matter, the Court has reviewed and considered the Complaint (Doc. 1), the Amended Complaint (Doc. 18), and the R&R (Doc. 19). The Court finds that the R&R is well-reasoned and agrees with the conclusions reached by Judge Kimmins.

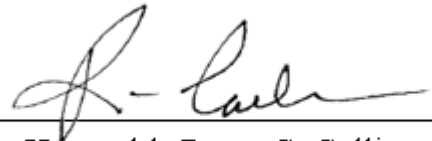
1 Accordingly, **IT IS ORDERED:**

- 2 1. The R&R is **ADOPTED**. (Doc. 19.)
- 3 2. Plaintiff's Amended Complaint is **DISMISSED**. (Doc. 18.)
- 4 3. The Clerk of Court shall docket accordingly and close the case file in this matter.

5 Dated this 13th day of November, 2023.

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10 Honorable Raner C. Collins

11 Senior United States District Judge

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